



UNIVERSITY OF TORONTO
FACULTY OF LAW

BORA LASKIN LAW LIBRARY



3 1761 09564157 7

PROPERTY LAW

Larissa Katz

VOLUME I

FACULTY OF LAW
UNIVERSITY OF TORONTO

These materials are reproduced solely for the use of students in the Faculty of Law,
University of Toronto

2013-2014

STORAGE

KE
618
.K38
2013
v.1
c.1

BORA LASKIN LAW LIBRARY

SEP - 3 2013

FACULTY OF LAW
UNIVERSITY OF TORONTO

PROPERTY LAW

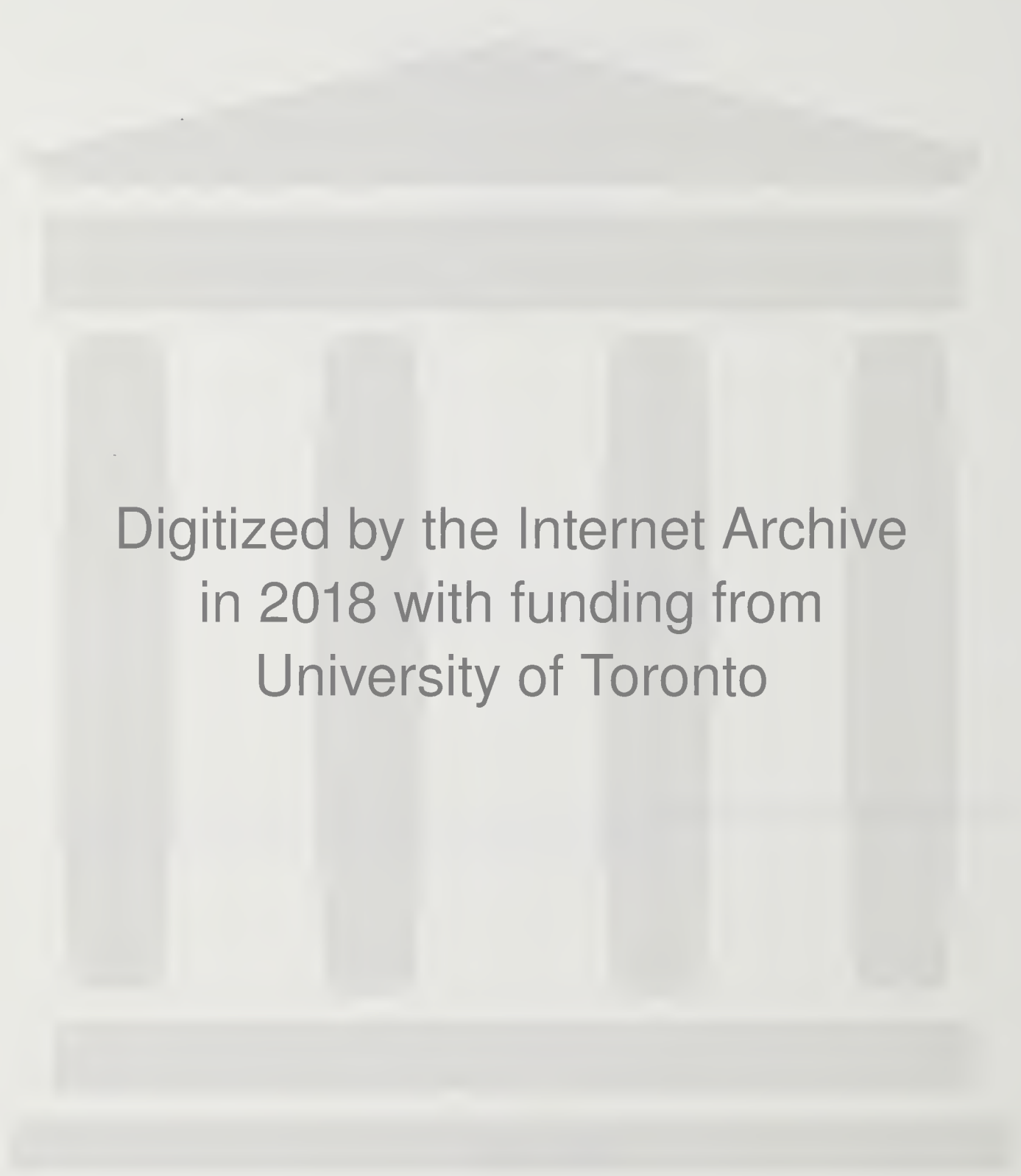
Larissa Katz

VOLUME I

**FACULTY OF LAW
UNIVERSITY OF TORONTO**

**These materials are reproduced solely for the use of students in the Faculty of Law,
University of Toronto**

2013-2014



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

<https://archive.org/details/propertylaw01katz>

TABLE OF CONTENTS - VOLUME ONE

Introduction

Hernando De Soto, <i>The Mystery of Capital</i>	1
Robert C. Ellickson, <i>Order Without Law</i>	15

What is Property?

<i>Jacque v. Steenberg Homes, Inc.</i>	28
T.W. Merrill and H.E. Smith, "What Happened to Property in Law and Economics?".....	34
<i>Harrison, v. Carswell</i>	38

First Possession

<i>Pierson v. Post</i>	46
------------------------------	----

The Right To Abandon

<i>Wicks Estate v. Harnett</i>	50
<i>Stewart v. Gustafson</i>	57
Eduardo M. Peñalver, "The Illusory Right to Abandon"	61

Quasi Property Rights and the Problem of Capture

<i>Popov v. Hayashi</i>	69
<i>Keeble v Hickeringill</i>	79

Adverse Possession

<i>Keefer v Arillotta</i>	81
<i>Masidon Investments Ltd. v. Ham</i>	87
<i>Teis v. Ancaster (Town)</i>	96
T.W Merrill, "Property Rules, Liability Rules, and Adverse Possession"	104

Accession and Fixtures

Lionel D. Smith, <i>Property: The Law of Tracing</i>	110
--	-----

<i>Diamond Neon (Manufacturing) Ltd. v. Toronto-Dominion Realty Co.</i>	112
<i>McKeown v. Cavalier Yachts Pty. Ltd.</i>	116
Intermixture	
Lionel D. Smith, <i>Property: The Law of Tracing</i>	122
<i>Indian Oil v. Greenstone Shipping</i>	124
<i>Mercer & Ors v Craven Grain Storage Ltd</i>	136
Alteration	
Lionel D. Smith, <i>Property: The Law of Tracing</i>	139
<i>Silbury & Calkins vs. McCoon & Sherman</i>	142
Proprietary Estoppel and Mistaken Improvements	
<i>Crabb v Arun District Council</i>	146
<i>Spadafora v. Gabriele</i>	153
Finding	
<i>Armory v. Delamirie</i>	156
<i>Parker v. British Airways Board</i>	157
<i>Deaderick v. Oulds</i>	168
<i>R v. Thurborn</i>	170
Bailment	
<i>Letourneau v. Otto Mobiles Edmonton (1984) Ltd</i>	174
<i>Punch v. Savoy's Jewellers Ltd</i>	184
The Winkfield	192
Conflicts: Boundary Crossings	
<i>Edwards v. Sims</i>	197
<i>Brownstone v. Geller</i>	203
<i>Kingsbridge Development Inc. v. Hanson Needler Corp.</i>	205

Henry E. Smith, “Exclusion and Property Rules in the Law of Nuisance”.....	208
<i>Didow v. Alberta Power Ltd.</i>	211

Conflicts: Priority Disputes

T. Merrill and H. Smith, <i>Property: Principles and Policy</i> , 2nd ed.	217
<i>Kunstsammlungen zu Weimar v. Elicofon</i>	218
<i>Bishopsgate Motor Finance Corporation Ltd v Transport Brakes Ltd</i>	222
<i>United Trust Co. v. Dominion Stores Ltd.</i>	223
<i>Lawrence v. Maple Trust Company</i>	238

